

BEFORE THE STATE ENGINEER OF OREGON

Deschutes County

IN THE MATTER OF THE APPLICATION OF )  
DESCHUTES COUNTY, OREGON AND WILLARD )  
FINLEY, WALLACE FINLEY, FLOYD BLACK )  
AND JOSEPH FALES FOR THE APPROVAL OF )  
A CHANGE IN PLACE OF USE OF WATER )  
FROM DESCHUTES RIVER. )

O R D E R

APPROVING APPLICATION

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On June 6, 1950, Deschutes County, Oregon, and Willard Finley, Wallace Finley, Floyd Black and Joseph Fales filed an application for the approval of a change in place of use of water from Deschutes River, pursuant to the provisions of Section 116-606, O. C. L. A.

By decree of the Circuit Court for Deschutes County dated February 10, 1928, in the matter of the determination of the relative rights to the use of the waters of Deschutes River and its tributaries, a water right was recognized in the name of the Arnold Irrigation Company, now Arnold Irrigation District, for the irrigation of, among other lands, 30 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 30 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 30 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 30 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 18, Township 18 South, Range 13 East, W. M., from Deschutes River with dates of priority of February 1, 1905 and April 25, 1905.

Deschutes County, Oregon, owner of the land above described, proposes to transfer the water rights appurtenant thereto, without loss of priority, to 5 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, Township 18 South, Range 12 East, W. M., owned by Willard Finley, 15 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 5 acres in the SE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 28, Township 18 South, Range 12 East, W. M., owned by Wallace Finley, 15 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 21, Township 18 South, Range 12 East, W. M.,

owned by Floyd Black, 23 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 20 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 18 South, Range 12 East, W. M., owned by Joseph Fales and 25 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 7 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 5 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, Township 18 South, Range 12 East, W. M., owned by Floyd Black and Joseph Fales.

Notice by publication as provided by Section 116-606, O. C. L. A., was not given in connection with this application for the reason that said section provides that notice is not required on applications for only a change in place of use of water.

The lands to which it is proposed to transfer the water are within the boundaries of the Arnold Irrigation District and the Board of Directors of said district has submitted its approval of the proposed change in place of use of water.


No objections having been filed and it appearing that the proposed change in place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed change in place of use of water be and the same hereby is approved, and that the water right hereinbefore described as appurtenant to 30 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 30 acres in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 30 acres in the SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 30 acres in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 18, Township 18 South, Range 13 East, W. M., with dates of priority of February 1, 1905 and April 25, 1905, be severed therefrom and simultaneously and without loss of priority transferred to 5 acres in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 21, Township 18 South, Range 12 East, W. M., 15 acres in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , and 5 acres

In the SE<sub>4</sub> NE<sub>4</sub>, Section 28, Township 18 South, Range 12 East, W. M., 15 acres  
in the SE<sub>4</sub> SW<sub>4</sub>, Section 21, Township 18 South, Range 12 East, W. M., 23 acres  
in the SW<sub>4</sub> NE<sub>4</sub> and 20 acres in the SE<sub>4</sub> NW<sub>4</sub>, Section 21, Township 18 South,  
Range 12 East, W. M., and 25 acres in the NE<sub>4</sub> SW<sub>4</sub>, 7 acres in the NW<sub>4</sub> SE<sub>4</sub>  
and 5 acres in the SW<sub>4</sub> SE<sub>4</sub>, Section 21, Township 18 South, Range 12 East, W. M.

It is FURTHER ORDERED that said water so transferred shall be  
applied to beneficial use on or before June 30, 1950.

Dated at Salem, Oregon, this 9th day of June, 1950.

  
CHAS. E. STRICKLIN  
State Engineer